

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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**HOWARD,**

**Plaintiff,**

**-against-**

**AMAZON FULFILLMENT,**

**Defendant.**  
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USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED

DOC#:

DATE FILED: January 24, 2023

**22-cv-4222 (ALC)**

**AMENDED ORDER OF  
SERVICE**

**ANDREW L. CARTER, JR., United States District Judge:**

Plaintiff brings this *pro se* action under the Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12112-12117, and the New York City Human Rights Law, N.Y.C. Admin. Code §§ 8-101 to 131, alleging that her employer, Amazon Fulfillment discriminated against her based on her disability. The Court construes the complaint as also asserting a claim under the Fair Labor Standards Act, 29 U.S.C. §§ 201-219. By order dated May 24, 2022, the Court granted Plaintiff's request to proceed in forma pauperis ("IFP"), that is, without prepayment of fees. ECF No. 3.

On June 6, 2022, the Court issued an Order of Service finding that the Plaintiff is entitled to rely on the Court and the U.S. Marshalls Service to effect service. *See* ECF No. 6. The Order also directed the Clerk of Court to issue a summons for Amazon Fulfillment, complete the USM-285 form with the address for this defendant, and deliver all documents necessary to effect service to the U.S. Marshals Service. *Id.*

The U.S Marshals Service attempted to serve the Defendant on November 28, 2022, but Amazon Fulfillment explained that it would only accept service of the complaint and summons if served on their Legal department located in Tumwater, Washington. *See* ECF No. 10. The Defendant's service address is included below.

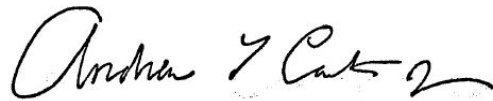
To allow Plaintiff to effect service on Defendant Amazon Fulfillment through the U.S. Marshals Service, the Clerk of Court is instructed to fill out a U.S. Marshals Service Process Receipt and Return form (“USM-285 form”) for Defendant. The Clerk of Court is further instructed to issue an amended summons and deliver to the Marshals Service all the paperwork necessary for the Marshals Service to effect service upon Defendant. If the complaint is not served within 90 days after the date the summonses are issued, Plaintiff should request an extension of time for service. *See Meilleur v. Strong*, 682 F.3d 56, 63 (2d Cir. 2012) (holding that it is the plaintiff’s responsibility to request an extension of time for service). Plaintiff must notify the Court in writing if her address changes, and the Court may dismiss the action if Plaintiff fails to do so.

#### **CONCLUSION**

The Clerk of Court is respectfully directed to mail an information package to Plaintiff. The Clerk of Court is further instructed to issue an amended summons for Amazon Fulfillment, complete the USM-285 form with the address for this defendant, and deliver all documents necessary to effect service to the U.S. Marshals Service.

**SO ORDERED.**

**Dated: January 24, 2023**  
**New York, New York**



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**ANDREW L. CARTER, JR.**  
**United States District Judge**

**SERVICE ADDRESS**

Amazon.com, Inc.  
Corporation Service Company  
300 Deschutes Way SW, Suite 208 MC-CSC1  
Tumwater, WA 98501  
Attn: Legal Department – Legal Process